

1 EDMUND G. BROWN JR.
Attorney General of the State of California
2 DANE R. GILLETTE
Chief Assistant Attorney General
3 GERALD A. ENGLER
Senior Assistant Attorney General
4 PEGGY S. RUFFRA
Supervising Deputy Attorney General
5 WILLIAM KUIMELIS
Deputy Attorney General
6 State Bar No. 147625
455 Golden Gate Avenue, Suite 11000
7 San Francisco, CA 94102-7004
Telephone: (415) 703-1371
8 Fax: (415) 703-1234
Attorneys for Respondent
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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 **DAVID M. McDONOUGH,**

Petitioner,

15
16 v.

17 **JAMES A. YATES,**

18 Respondent.
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C 07-2469 MMC (PR)

**[HABEAS CORPUS;
28 U.S.C., 2254]**

**EX PARTE APPLICATION FOR
ENLARGEMENT OF TIME**

20 Respondent requests a 60-day enlargement of time, to and including February 9, 2008,
21 within which to file a response to the petition for writ of habeas corpus. As explained in the
22 accompanying declaration, the Deputy Attorney General assigned to represent the Warden in this
23 matter has been working on other matters, was recently out of the country for nearly six weeks,
24 recently learned that he will be deploying to Iraq as an Army reservist, and has not been able to
25 complete a response. No stipulation has been sought. Respondent has made two previous extension
26 request.

27 WHEREFORE, respondent requests that this Court grant an enlargement of time to and
28 including February 9, 2008, to file a response to the petition.

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2 Dated: December 12, 2007

3 Respectfully submitted,

4 EDMUND G. BROWN JR.
Attorney General of the State of California

5 DANE R. GILLETTE
Chief Assistant Attorney General

6 GERALD A. ENGLER
Senior Assistant Attorney General

7 PEGGY S. RUFFRA
8 Supervising Deputy Attorney General

9
10 /s/ **William Kuimelis**
11 WILLIAM KUIMELIS
12 Deputy Attorney General
13 Attorneys for Respondent
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